

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

<u>UNITED STATES OF AMERICA</u>	:	
Plaintiff	:	Civil Action No. 09-4634(KSH)
v.	:	
BRUNO TEIXERIA	:	FINAL PRETRIAL ORDER
Defendant	:	

This matter having come before the Court for the entry of a Final Pretrial Order; and the Court having directed the parties to submit written narrative statements of facts that will be offered into evidence at trial and to identify their respective witnesses and exhibits; and the plaintiff having filed such submission, dated April 12, 2010; and the defendant having submitted a submission that was received on April 23, 2010;

IT IS ON THIS 26th day of April, 2010

ORDERED that attached hereto are the pretrial submissions and therefore is hereby deemed to constitute the Final Pretrial Order in this Civil Action.; and

IT IS FURTHER ORDERED that no witnesses or exhibits omitted from the submissions may be presented at trial.

s/Patty Shwartz
UNITED STATES MAGISTRATE JUDGE

FRANK J. MARTONE, P.C.
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRUNO TEIXEIRA
712 WYOMING AVENUE
ELIZABETH, NEW JERSEY 07208

Defendant(s).

HON. PATTY SHWARTZ

Civil Action No. 09-4634

Plaintiff's Pretrial Statement

Plaintiff, the United States of America, for the Department of Education, hereby submits the following Plaintiff's Pretrial Statement in accordance with the Scheduling Order of this Court entered December 29, 2009.

(1) List of Exhibits:

- (a) Promissory Note: \$1,000.00
- (b) Promissory Note: \$8,500.00
- (c) Account Level Information
- (d) Collector Note Pad
- (e) Letter History Screen
- (f) Debt Level Information Screen
- (g) Account Transaction Screen
- (h) Payment Detail Screen
- (i) FDSL Program Specific Screen
- (j) Account Profile Screen 2
- (k) Certificate of Indebtedness # 1 of 1
- (l) Defendant's Answers to Interrogatories

(2) List of Witnesses:

- (a) Lynda Faatalale or Alberto Franscisco,
Representative, Department of Education
50 Beale Street
San Francisco, CA 94105

(3) Testimony:

(a) Business Records of the Department of Education, establish that on or about October 8, 1994, the Defendant signed the Promissory Notes referenced in the Complaint. The loans were disbursed in the amounts of \$8,500 and \$10,000, on or about December 29, 1994.

The Department made demand for payment according to the terms of the Note and the Defendant defaulted on the obligation on or about October 9, 1997.

After crediting the Defendant with payment from all sources, including Treasury Department offsets, if any, to the balance, the borrower owes the United States the following, as of 5/12/09:

Principal:	\$19,490.33
Interest:	\$14,772.14
Total Administrative charges due:	\$0.00
Total Penalty Charges Due:	\$0.00

Total Debt as of 5/12/09	\$34,262.47
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Interest accrues on the principal shown here at the current rate of 5.01 percent and a daily rate of \$2.67 through June 30, 2009, and thereafter at such rate as the Department establishes pursuant to Section 4559b) of the Higher Education Act of 1965 as amended, 20 U.S.C. 1087e.

(b) In response to the Answer: The Department has not cancelled the Defendant's indebtedness or made any repayment plan with him.

Respectfully submitted,
Frank J. Martone, P.C.

Frank J. Martone /s/

Frank J. Martone, Esq.
Attorney for Plaintiff

Bruno Teixeira
712 Wyoming Ave.
Elizabeth, NJ 07208-1541
Tel (908) 820 0720

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,
Plaintiff,

HON. PATTY SHWARTZ

Civil Action No. 09-4634

v.

BRUNO TEIXEIRA
Defendant

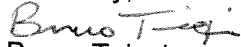
Defendant's Pretrial Statement

Defendant, Bruno Teixeira, hereby submits the following Pretrial Statement, in accordance with the Scheduling Order of December 29, 2009.

- (1) List of Exhibits: None
- (2) List of Witnesses: None
- (3) Testimony:

I applied to Plaintiff's Income Based Repayment Plan in August 2009, and received no response. I am willing to participate in the Income Based Repayment Plan until Plaintiff cancels the debt.

Sincerely,


Bruno Teixeira

Service List

Via regular mail

Hon. Patty Schwartz, USMJ
US Post Office & Courthouse Bldg.
Federal Square
Newark, NJ 07101

Frank J. Martone PC
1455 Broad St.
Bloomfield, NJ 07003

APR 22 2010